

REMARKS

Claims 1-27 are pending in this application for reissue. Claims 1, 4-6, 8, 9 and 14 of the original patent are amended herein. Claims 2, 3, 7 and 10-13 of the original patent remain unchanged. Claim 15, introduced with the application for reissue, is amended herein. Claims 16-26, introduced with the application for reissue, remain unchanged. Claim 27 is added by this response. No new matter is introduced.

Claims 1-14 stand rejected under 35 USC §112, 2<sup>nd</sup> paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter that Applicant regards as the invention. Applicant acknowledges indication by the Examiner that claims 1-14 would be allowable if rewritten to overcome this rejection. In response, the claims (in particular, claims 1, 4-6, 8, 9 and 14) and the specification are amended herein as suggested by the Examiner and/or in manner to fully address the issues raised in the objection. The amendments are also addressed to clarifying the relationship among the desk body (24, the compartment or volume formed by multiple panels and containing computer components), the top panel or top system panel (38, one panel of the desk body), and the desk top (12, the lid mounted to the desk body and defining the writing surface with the transparent viewing region). Again, no new matter has been introduced.

In response to the Examiner's request for (exact) conformity between the language of the claims and the language of the disclosure specification, we note first that the claims are a part of the specification, and further, quoting from MPEP §2173.05(e):

**A CLAIM TERM WHICH HAS NO ANTECEDENT BASIS IN THE DISCLOSURE IS NOT NECESSARILY INDEFINITE**

The mere fact that a term or phrase used in the claim has no antecedent basis in the specification disclosure does not mean, necessarily, that the term or phrase is indefinite. There is no requirement that the words in the claim must match those used in the specification disclosure. Applicants are given a great deal of latitude in how they choose to define their invention so long as the terms and phrases used define the invention with a reasonable degree of clarity and precision.

We submit that the claims as now amended are fully in compliance with the requirements under 35 USC §112, second paragraph.

Submitted herewith is a supplemental declaration under 37 CFR §1.175 by the inventor, Craig Jyringi, addressing all of the issues raised in the objection to the reissue declaration. Continuing obligations under 37 CFR §1.78(b) and 37 CFR §1.56, as noted in the Office action, are acknowledged. Submitted as exhibits to the supplemental declaration are copies of the assignment of the entire right, title and interest in and to the invention to CDM Educational Corporation, dated March 22, 2002 (Exhibit 1), a recordation cover sheet submitting the assignment for recordation in the U.S. Patent and Trademark Office, dated May 10, 2002 (Exhibit 2), and a consent of assignee, as submitted in this reissue application on May 10, 2002 (Exhibit 3).

Also submitted herewith is the original Letters Patent No. U.S. 6,286,440, issued September 11, 2001, with a copy of the signed consent of assignee and offer to surrender submitted previously in this application.

Applicant understands that the drawings submitted with the application have been reviewed and approved by the Official Draftsman, and no further action is required in this regard.

Objections are made to the drawings under 37 CFR 1.83(a) for failure to show every feature of the invention specified in the claims. In particular, the Examiner maintains that the adjustable components of the spring adjustable hinges (26) and the adjustable legs (42) are required. We respectfully traverse.

In particular, element 26 is referred to throughout the specification and in the drawings as "two spring adjustable hinges" (see, e.g., col. 4, line 22; col. 5, lines 28-29; and FIG. 1). Similarly, element 42 is referred to throughout as "adjustable legs" (see, e.g., col. 4, line 31; col. 5, line 54; and FIG. 1). Both are elements in common use and well known to those skilled in the relevant art, and we submit that no further detail is required in the drawings, nor is further description required in the specification, or claims, for a clear understanding of the invention.

Claims 15-24 and 26 stand rejected under 35 USC §102(b) as being anticipated by Schairbaum WO 85/03626, and claims 15, 20, 24 and 25 stand rejected under 35 USC §102(b) as being anticipated by Lechman US 5,651,594. We respectfully traverse.

In particular, independent claim 15, from which claims 16-27 all depend either directly or indirectly, is amended herein to recite that the desk body comprises a front panel, a back

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panel, opposite left and right side panels adjoining the front and back panels, and a bottom panel and a top (system) panel adjoining the front, back and opposite left and right side panels, the panels of the desk body in combination defining a volume within which are disposed elements of a computer, including a computer display positioned for viewing at the transparent region in the desk top.

Neither Schairbaum nor Lechman, whether taken alone or in proper combination with any other reference, teaches or suggests a computer in a desk module comprising a desk body with front, back, opposite left and right side, bottom and top system panels that in combination define a volume within which are disposed elements of a computer, including a computer display positioned for viewing at a transparent region in the desk top. On this basis we submit that independent claim 15, and claims 16-27 dependent therefrom, are all in condition for allowance over the cited prior art.

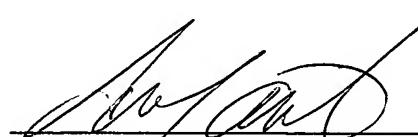
Attached is a marked-up version of the changes being made by the current amendment.

Applicant submits that this application is now in condition for allowance. Early favorable action is solicited. Filed herewith is a Petition for Automatic Extension with a check in the amount of \$64.00 in payment of the required fees for extension and excess claims. Please apply any additional charges or credits to Deposit Account No. 06-1050.

Respectfully submitted,

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**Version with markings to show changes made**

**In the specification:**

Paragraph beginning at column 4, line 11 has been amended as follows:

--10 computer in a desk or desk module--

Paragraph beginning at column 4, line 31 has been amended as follows:

--42 adjustable legs--

**In the claims:**

Claims 1, 4, 5, 8, 9, 14 and 15 have been amended as follows:

--1. (Amended) A computer in a desk module, comprising in combination:

(a) a rectangular desk [top] body having front, [rear] back and side panels; the side panels are equal in length but shorter than the front and [rear] back panels; the front and [rear] back panels are equal in length but longer than the side panels; [the] and having a desk top having an opening [therein with] and adjustable support brackets being attached to the desk top and side panels;

(b) a transparent view panel supported in the top surface of the desk top covering the opening;

(c) [a] the front panel and the back panel adjoining the side panels respectively;

(d) a bottom panel and a top system panel adjoining front and [rear] back panels, [;] and left and right side panels respectively;

(e) four adjustable legs attached to the bottom panel in each respective corner;

(f) a keyboard tray supported via two spring adjustable hinges attached to [the] a top front of the front panel portion of the desk [top] body;

(g) a computer/monitor compartment bounded by [the desk top,] the front and back panels, the side panels, [and] the bottom panel, and the top system panel;

(h) [a] computer system hardware, including a motherboard, expansion cards, power supply, and disk drives [, and flat panel screen] contained [therein] in said compartment.--

--4. (Amended) The computer in a desk module of claim 1 wherein the desk [top] body houses [a] the flat panel screen beneath the view panel.--

--5. (Amended) The computer in a desk module of claim 4 wherein the flat panel screen is attached to a bottom surface of the desk top [panel] by a plurality of supporting brackets.--

--6. (Amended) The computer in a desk module of claim 1 wherein the computer system hardware is [place] placed within the desk body.--

--8. (Amended) The computer in a desk module of claim 1 wherein the keyboard tray is attached to the front panel with the two spring adjustable hinges to allow the keyboard tray to be pivoted between a stored and/or usable position.--

--9. (Amended) The computer in a desk module of claim 4 wherein the desk top with flat panel screen and view panel is [suspended] supported by the two support brackets attached to [the] a bottom of the left and right outside edges of the desk top and to each of the left and right side panels; and is attached to [the] an inside top of the front panel and [the] an inside bottom of the desk top closest to the front panel via the two spring adjustable hinges.--

--14. (Amended) The computer in a desk module of claim 1 wherein the desk top [panel] has an access port for proper routing of mouse cable.--

Claim 15 is amended as follows (underlining, other than of the current amendment, is omitted for clarity):

--15. (Amended) A computer in a desk module, comprising:

a desk body comprising a front panel, a back panel, opposite left and right side panels adjoining the front and back panels, and a bottom panel and a top system panel adjoining the front, back and opposite left and right side panels, said panels in combination defining a volume;

a desk top mounted to said desk body and defining a writing surface;

said writing surface defining a transparent region; and

elements of a computer disposed within said volume, including a computer display positioned for viewing at said transparent region.--